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Commission on the Status of Women
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Follow-up to the Fourth World Conference on Women and to the special session of the General Assembly entitled "Women 2000: gender equality, development and peace for the twenty-first century"

Austria,* Belgium, Cyprus,* Czech Republic,* Denmark,* Finland,* France,* Germany, Greece,* Hungary, Ireland,* Italy,* Latvia,* Lithuania,* Luxembourg,* Malta,* Netherlands, Poland,* Portugal,* Slovakia,* Slovenia,* Spain,* Sweden* and United Kingdom of Great Britain and Northern Ireland: draft resolution

Situation of women and girls in Afghanistan

The Commission on the Status of Women,

Reaffirming that all States have an obligation to promote and protect human rights and fundamental freedoms and the duty to fulfil the obligations they have undertaken under the various instruments in this field,

Recalling that Afghanistan is a party to several international human rights instruments,

Recalling the importance of the implementation of Security Council resolutions 1325 (2000) of 31 October 2000, on women and peace and security, 1265 (1999) of 17 September 1999, 1296 (2000) of 19 April 2000, on the protection of civilians in armed conflict and 1539 (2004) of 22 April 2004, on children and armed conflict,

Recalling also that the new Constitution states that the citizens of Afghanistan, whether men or women, are equal before the law and guarantees the rights of women to serve in the National Assembly,

Recognizing that, in spite of recent improvements, women in Afghanistan continue to face serious violations of their rights in many parts of the country, in particular in rural areas,

* In accordance with rule 69 of the rules of procedure of the functional commissions of the Economic and Social Council.

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Strongly emphasizing that a safe environment, free from violence, discrimination and abuse, for all Afghans, is essential for a viable and sustainable recovery and reconstruction process,

1. *Welcomes*:

(a) The continuing commitment of the Government of Afghanistan to the full enjoyment of all human rights and fundamental freedoms by women and girls, the restoration of the active participation of Afghan women in political, economic and social life, the education of girls as well as boys and the opportunity for women to work outside the home;

(b) The provisions of the new Constitution that state that the citizens of Afghanistan, whether men or women, are equal before the law and that at least two women are to be elected to the Wolesi Jirga (Lower House of Parliament) from each province, as a national average, and which provide for half of the President's nominees to the Meshrano Jirga (Upper House of Parliament) to be women;

(c) The ongoing security sector reform processes being undertaken by the Government of Afghanistan with the support of the international community, including the demobilization, disarmament and reintegration of former combatants and the recruitment of a new cadre of women police;

(d) The peaceful and successful presidential election that took place on 9 October 2004 and the level of participation by women voters who cast 40 per cent of the total number of votes;

(e) The candidacy of Afghan women in both the Presidential and Vice-Presidential ballots, the appointment of three women to cabinet positions and the appointment of the first woman provincial governor on 2 March 2005;

(f) The recent publication of a report on transitional justice, entitled "A Call for Justice", by the Afghan Independent Human Rights Commission;

2. *Also welcomes* the report of the Secretary-General to the Commission on the Status of Women on the situation of women and girls in Afghanistan;[1]

3. *Urges* the Government of Afghanistan:

(a) To fully implement the Constitution and all international treaties to which Afghanistan is a state party, including the Convention on the Elimination of All Forms of Discrimination against Women;[2]

(b) To ensure that legislative, administrative and other measures support the full enjoyment by women and girls of human rights and fundamental freedoms, including by mainstreaming gender issues into policies and programmes at all levels, and to organize sustained awareness-raising campaigns on the equality of women and men;

(c) To enable the full, equal and effective participation of women and girls in civil, cultural, economic, political and social life throughout the country at all levels;

[1] E/CN.6/2005/5.

[2] General Assembly resolution 34/180, annex.

(d) To ensure that women are able to register, run for office, campaign and vote in the upcoming national assembly elections scheduled for 2005;

(e) To strengthen women's economic empowerment and access to income-generating activities, credits, means of production, technology and resources, inter alia, by guaranteeing women's and girls' property and inheritance rights;

(f) To ensure the effective, full and equal access of women and girls to health care and education;

(g) To ensure that the Ministry of Women's Affairs, the Afghan Independent Human Rights Commission and the permanent Afghan judicial institutions have adequate human and financial resources to fulfil their mandates and address gender perspectives in line with international standards;

(h) To continue its efforts to re-establish the rule of law, in accordance with international standards, inter alia, by ensuring the impartiality of the justice system and that law enforcement agencies respect and uphold human rights and fundamental freedoms, with a particular emphasis on access to justice and redress mechanisms for women;

(i) To continue its efforts to reflect a gender perspective in the training and activities of its police, army, prosecutors and judiciary and to promote the recruitment of Afghan women in all ranks;

(j) To raise awareness of the need to prevent and eliminate violence, including domestic and sexual violence, against women, with the aim of changing the attitudes that allow such crimes to take place and to develop support services for victims of violence against women and girls;

(k) To raise awareness of the need to prevent and eliminate enforced marriages in accordance with article 16 (b) of the Convention on the Elimination of All Forms of Discrimination against Women;

(l) To support measures to ensure the full enjoyment of human rights and fundamental freedoms by women and girls, to hold accountable those who were responsible for gross violations of human rights in the past and to ensure that full investigations are conducted and perpetrators brought to justice, in accordance with international standards, in order to combat impunity;

4. *Invites* the United Nations system, international and non-governmental organizations and donors:

(a) To ensure a human rights-based approach and coherent policy and resources for gender mainstreaming in all programmes and operations, based on the principles of non-discrimination and equality between women and men, and to ensure that women benefit equally with men from such programmes in all sectors;

(b) To ensure the full and effective participation of Afghan women in all stages of humanitarian assistance, recovery, reconstruction and development, including planning, programme development, implementation, monitoring and evaluation;

(c) To support the elements of civil society active in the field of human rights and encourage the involvement of women therein;

(d) To ensure that all their international and national personnel, prior to beginning their service, receive training in gender equality as well as appropriate training in the history, culture and traditions of Afghanistan and are fully familiar with and guided by international standards of human rights;

(e) To integrate efforts to improve the health status of women within all reconstruction efforts, especially through access to skilled prenatal care, increasing access to skilled birth attendance, education programmes on basic health issues, community information activities and emergency obstetric care;

(f) To continue to support measures for the employment of women and the integration of a gender perspective into all social, development and reconstruction programmes, taking into account the special needs of widows and returning refugee and displaced women and girls as well as those living in rural areas;

(g) To continue to provide financial and technical support to the Ministry of Women's Affairs and all line ministries, in order to integrate gender perspectives into their programmes and budgets;

(h) To provide sufficient financial and technical support to the 2005 national assembly elections process in order to facilitate the full participation of women as voters and candidates;

(i) To support the development of a long-term strategy to strengthen the judicial system according to international standards;

(j) To support measures to hold accountable those responsible for gross violations of women's human rights in the past and to ensure that full investigations are conducted and perpetrators brought to justice;

5. *Calls upon* Member States to integrate a gender perspective when formulating and implementing programmes and policies in relation to Afghanistan;

6. *Invites* the Commission on Human Rights to consider the report of the Secretary-General on the situation of women and girls in Afghanistan at its sixty-first session and to fully include the situation of women and girls in any consideration of the human rights situation in Afghanistan;

7. *Requests* the Secretary-General to continue to review the situation of women and girls in Afghanistan and to submit to the Commission on the Status of Women at its fiftieth session a report on progress made in the implementation of the present resolution.